

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Takai *et al.*

Application No.: 10/644,084

Filed: August 20, 2003

For: **ADIP Protein and Use Thereof**

Confirmation No.: 4948

Art Unit: 1646

Examiner: Li, Ruixiang

Atty. Docket: 2144.0100000/RWE/S-G

Request for Correction of Fees Paid

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

On December 12, 2003, Applicants paid the following filing fees for the above-captioned application:

Basic filing fee	\$770.00
Six (6) Claims in excess of 20	108.00
Multiple dependent claim	290.00
Surcharge for late filing	<u>130.00</u>

\$1,298.00

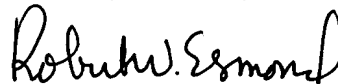
These fees were based on the claims as they appear in the Preliminary Amendment filed August 20, 2003. While there are a total of 22 claims in the application, each of claims 11, 12, 21 and 22 counts as 2 claims: Claims 11 and 12 are both multiply dependent upon claims 10 and 2; claim 21 is dependent upon claim 11 and claim 22 is dependent upon claim 12. Thus, the total claim count is 26 and Applicant appropriately paid for 6 claims in excess of 20 and paid the multiple dependent claim fee.

On April 7, 2006, it is believed that the U.S. Patent and Trademark Office erroneously applied a credit to the credit card for the undersigned in the amount of \$398.00 (\$108.00 excess claims fee plus \$290.00 multiple dependent claim fee) and charged \$36.00 to the credit card for excess claims. It is believed that the reason this was done is because the Notice to File Missing Parts for this application erroneously indicates that the excess claims fee was \$36.00 for 2 total claims over 20 and erroneously does not indicate that a multiple dependent claim fee was due. Thus, it is believed that a total of \$362.00 was erroneously refunded to Applicants. Accordingly, attached is a PTO-2038 Credit Card Payment form in the amount of \$362.00. It is respectfully requested that these fees be applied to this application to correct the fee record.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: June 7, 2006

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